



US Army Corps  
Of Engineers  
Wilmington District

# PUBLIC NOTICE

Issue Date: July 24, 2006

Comment Deadline: August 24, 2006

Corps Action ID #: SAW-2006-32961-133

All interested parties are hereby advised that the Wilmington District, Corps of Engineers (Corps) has received an application for work within jurisdictional waters of the United States. Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at [www.saw.usace.army.mil/wetlands](http://www.saw.usace.army.mil/wetlands)

***Applicant:***

Mr. R. E. Greene, Jr., PE  
Division Engineer – Division 4  
N. C. Department of Transportation  
Post Office Box 3165  
Wilson, North Carolina 27895-3165

**Authority**

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 404 of the Clean Water Act and Section 10 of the River and Harbor Act of 1899.

**Location**

The proposed TIP project R-4434 involves extending McNair Road (NC 122) from NC 111 (Wilson St.) to US 258 in Tarboro. The project will be approximately 1.4 miles on new location. The new location will tie into existing SR 1344 and continue for approximately 0.5 miles to an intersection with US 258. The proposed project crosses an unnamed tributary to Holly Creek. The proposed project is located in Tar River Basin, Hydrologic Unit 03020103.

**Existing Site Conditions**

The project study area lies in the rural, unincorporated region of Edgecombe County. The towns of Tarboro and Princeville are located north of the study area. Land uses in the area consist primarily of agriculture, forestry, and low-density residential and commercial development. Most of the proposed road alignment is currently cleared and

maintained as a utility corridor/access road for an existing water line. The forested area this project will cross is mostly managed pine forest and is currently being logged and thinned.

The topography in the study area is characterized as rather flat, with low, gently rolling hills. The study area is located in the Coastal Plain physiographic province of North Carolina.

Five jurisdictional wetland areas and one unnamed tributary have been identified in the study area. The wetland systems vary in vegetative composition depending on site specific disturbances. All wetlands within the project study area have been disturbed and altered to some extent. Wetland vegetative communities include maintained herbaceous wetlands within the existing utility corridor; intensely managed pine forest; and mixed pine and hardwood forest. The one unnamed tributary that has been identified originates as a trapezoidal drainage feature on the Sara Lee property and crosses under NCSR 1344. No wetlands are associated with this unnamed tributary within the study area.

### **Applicant's Stated Purpose**

The purpose of this project is to provide road linkage between existing NC 122/NC 111 and US 258. Improvements are warranted to accommodate traffic growth and to ensure safety.

### **Project Description**

The following description of work is taken from data provided by the applicant. The proposed project will provide 12-foot travel lanes with 8-foot shoulders in each direction. The project is approximately 1.4 miles and will tie into existing SR 1344 and continue to US 258. The proposed project would fill 1.138 acres of jurisdictional wetlands and require an additional 0.436 acres of mechanized clearing. Surface water impacts include 0.004 acres of fill and 35 linear feet for the extension of an existing culvert. Buffer impacts are 3,364 square feet and are designated as allowable under the Tar-Pamlico Buffer Rules.

### **Other Required Authorizations**

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice in the NCDWQ Central Office in Raleigh serves as application to the NCDWQ for certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of

the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, Transportation Permitting Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the application for certification under Section 401 of the Clean Water Act should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 Attention: Mr. John Hennessy by August 16, 2006.

### **Essential Fish Habitat**

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The Corps' initial determination is that the proposed project will not adversely impact EFH or associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

### **Cultural Resources**

The Corps has consulted the latest published version of the National Register of Historic Places and has determined that registered properties, or properties listed as being eligible for inclusion therein are not located within the project area and/or will be affected by the proposed work.

### **Endangered Species**

The Corps has reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information, the Corps has determined pursuant to the Endangered Species Act of 1973, that the proposed project will have no effect on federally listed endangered or threatened species or their formally designated critical habitat.

### **Evaluation**

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain

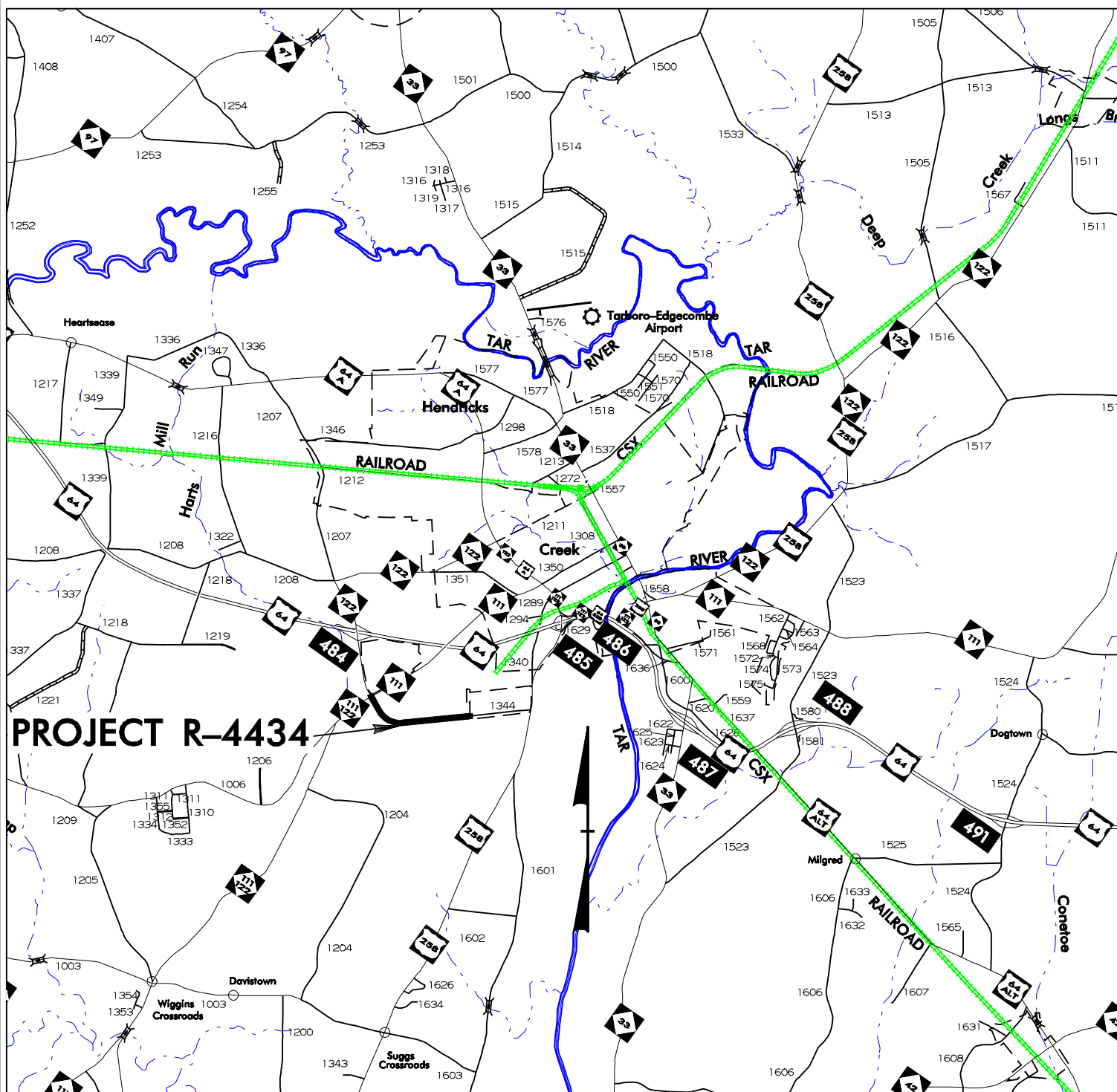
values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

### **Commenting Information**

The Corps is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidate State Viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, August 24, 2006. Comments should be submitted to US Army Corps of Engineer, attn: William Wescott Post Office Box 1000, Washington, NC 27889.

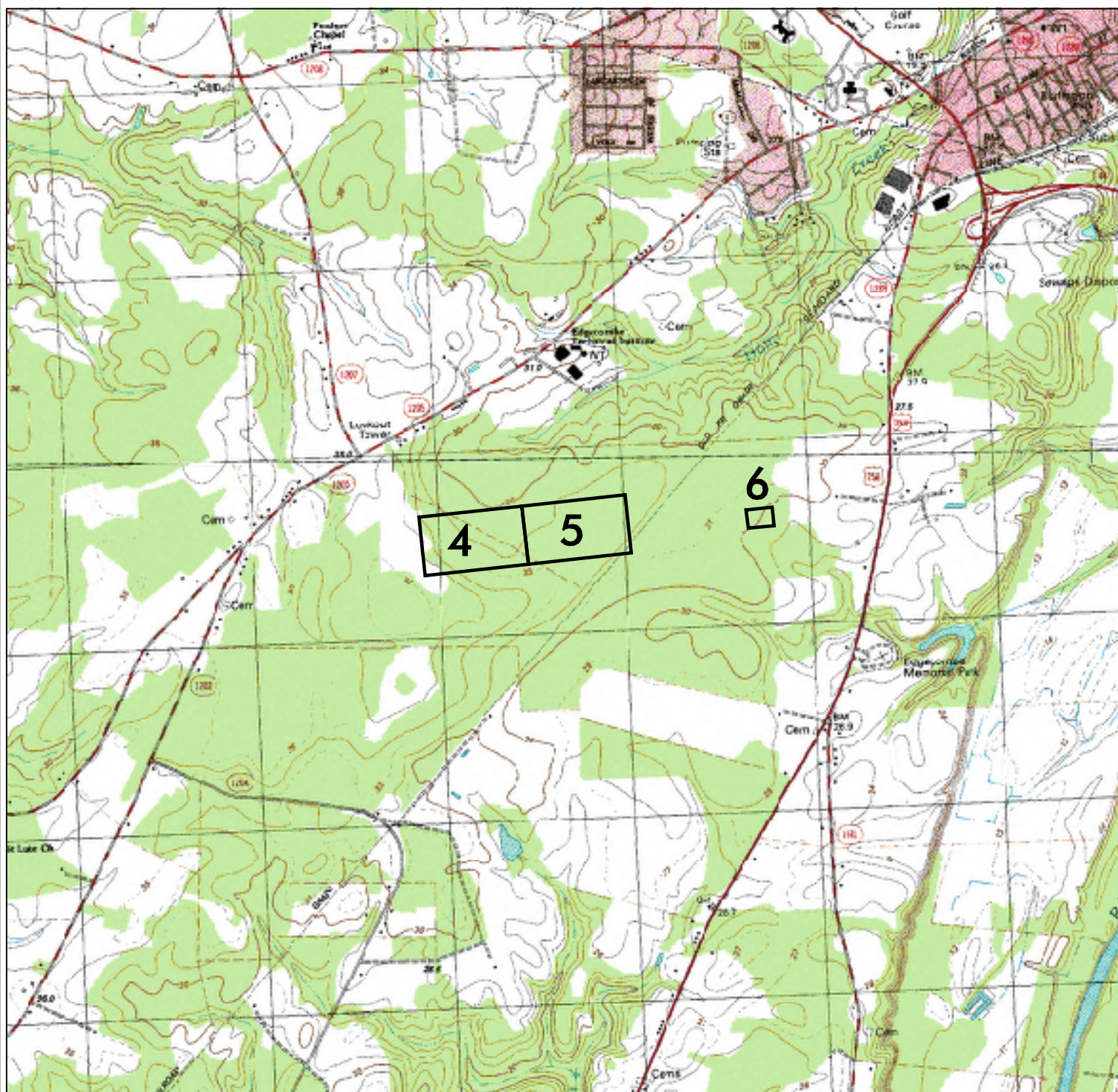


**PROJECT R-4434**

# **VICINITY MAP WETLANDS**

**N.C. DEPT. OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
EDGECOMBE COUNTY  
WBS ELEMENT 35600 R-4434  
McNAIR ROAD,  
FROM NC 111 TO US 258  
DATE:3/2006  
SHEET 1 OF 8**





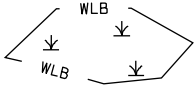
# TOPO MAP

N.C. DEPT. OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
EDGEcombe COUNTY  
WBS ELEMENT 35600 R-4434  
McNAIR ROAD,  
FROM NC 111 TO US 258  
DATE: 3/2006  
SHEET 2 OF 8

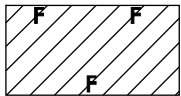
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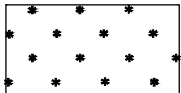
WETLAND BOUNDARY



WETLAND



DENOTES FILL IN WETLANDS



DENOTES MECHANIZED CLEARING

— F —

PROP. LIMIT OF FILL

— E —

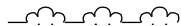
EXISTING WATER  
LINE EASEMENT



PROPOSED RIGHT OF WAY

— PL —

PROPERTY LINE



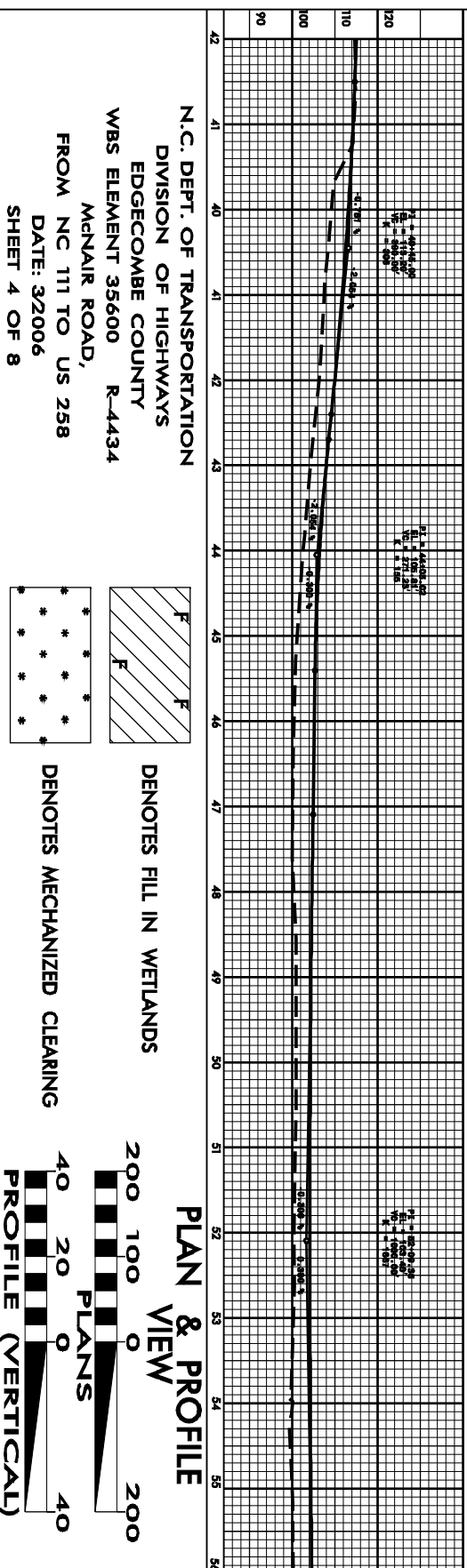
WOODS LINE



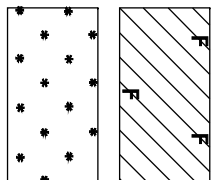
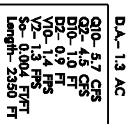
DENOTES FILL IN SURFACE WATER

## LEGEND

N.C. DEPT. OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
EDGEcombe COUNTY  
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McNAIR ROAD,  
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SHEET 3 OF 8







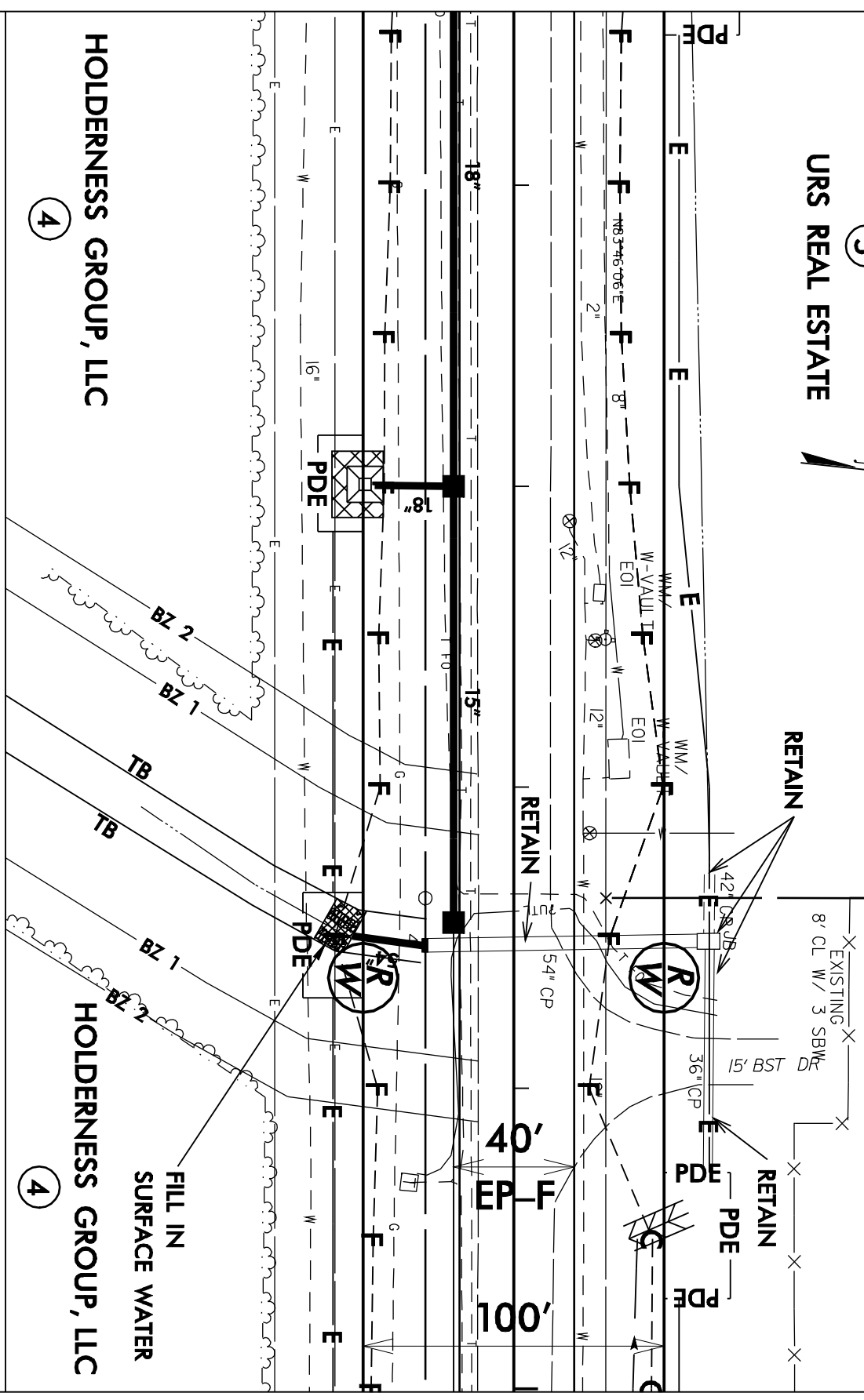
## PLAN & PROFILE VIEW

N.C. DEPT. OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
EDGEcombe COUNTY  
WBS ELEMENT 35600 R-4434  
McNAIR ROAD,  
FROM NC 111 TO US 258  
DATE: 3/2006  
SHEET 5 OF 8

5  
URS REAL ESTATE



6  
KITCHENS OF SARA LEE CORP.



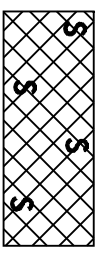
HOLDERNESS GROUP, LLC

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HOLDERNESS GROUP, LLC

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N.C. DEPT. OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
EDGECOMBE COUNTY  
WBS ELEMENT 35600 R-4434  
MCNAIR ROAD,  
FROM NC 111 TO US 258  
DATE: 4/2006  
SHEET 6 OF 8



FILL IN  
SURFACE WATER

PLAN VIEW



<b>SUMMARY</b>											
		<b>WETLAND IMPACTS</b>			<b>SURFACE WATER IMPACTS</b>						
<b>Station (From/to)</b>	<b>Crossing Number</b>	<b>Fill In Wetlands (ac)</b>	<b>Temp. Fill In Wetlands (ac)</b>	<b>Excavation In Wetlands (ac)</b>	<b>Mechanized Clearing (ac)</b>	<b>Fill In SW (Natural) (ac)</b>	<b>Fill In SW (Pond) (ac)</b>	<b>Temp. Fill In SW (ac)</b>	<b>Existing Channel Impacted (ft)</b>	<b>Relocated Channel (ft)</b>	<b>Enclosed Channel (ft)</b>
40+27.77 TO 41+61.36		0.092									
44+50.46 TO 48+29.95		0.486			0.189						
49+43.25 TO 49+97.16		0.060			0.028						
53+07.79 TO 53+41.21		0.047			0.056						
58+93.40 TO 62+12.97		0.454			0.163						
98+52						0.004			35		
TOTALS:		1.138			0.436	0.004			35.000		

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DATE: 3/2006

SHEET 7 OF 8

N.C. DEPT. OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
EDGECOMBE COUNTY  
WBS ELEMENT 35600 R-4434  
McNAIR ROAD,  
FROM NC 111 TO US 258  
DATE: 3/2006  
SHEET 7 OF 8

# PROPERTY OWNERS

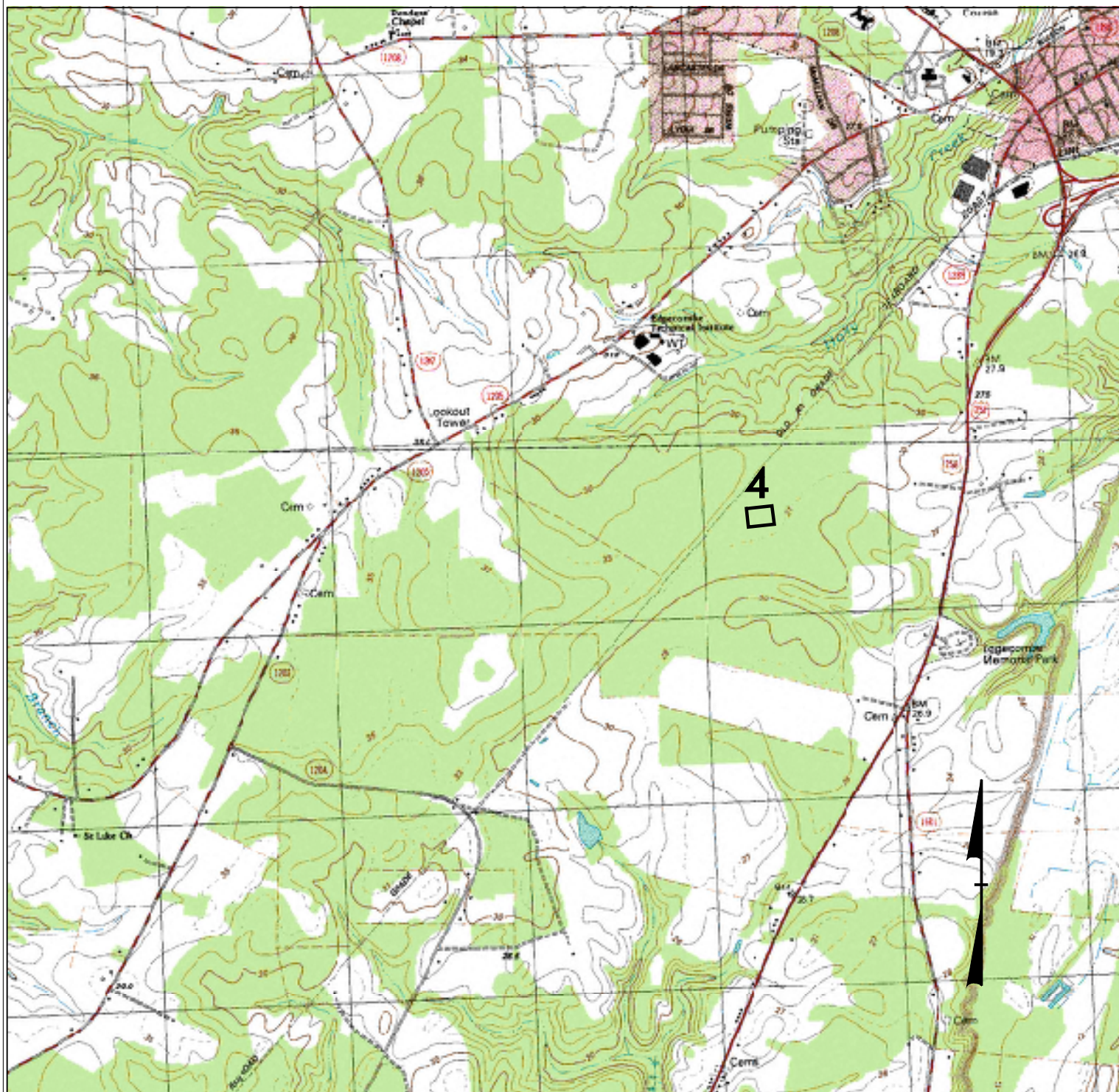
PARCEL NUMBER	Name	Address
1	W.G. CLARK III C/O W. G. Clark, IV	PO Box 1159 Tarboro, NC 27886
2	Tarboro Commons, LLC	1300 Tunnel Rd. Asheville, NC 28805
3	Dew Family Investments	2730 US 258 South Tarboro, NC 27886
4	Holderness Group, LLC	PO Box 249 Tarboro, NC 27886
5	URS Real Estate	10 Glenlake Parkway, Suite 800 Atlanta, GA 30328
6	KITCHENS OF SARA LEE CORP	

**PROPERTY OWNERS**

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DIVISION OF HIGHWAYS  
EDGECOMBE COUNTY  
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McNAIR ROAD,  
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SHEET 8 OF 8







# **TOPO MAP**

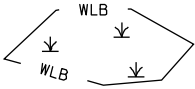
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SHEET 2 OF 6



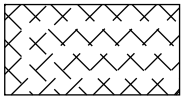
# LEGEND

— WLB —

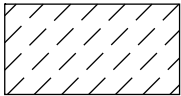
WETLAND BOUNDARY



WETLAND



ALLOWABLE IMPACTS  
ZONE 1



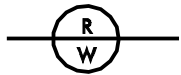
ALLOWABLE IMPACTS  
ZONE 2

— F —

PROP. LIMIT OF FILL

— E —

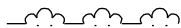
EXISTING WATER  
LINE EASEMENT



PROPOSED RIGHT OF WAY

— PL —

PROPERTY LINE



WOODS LINE

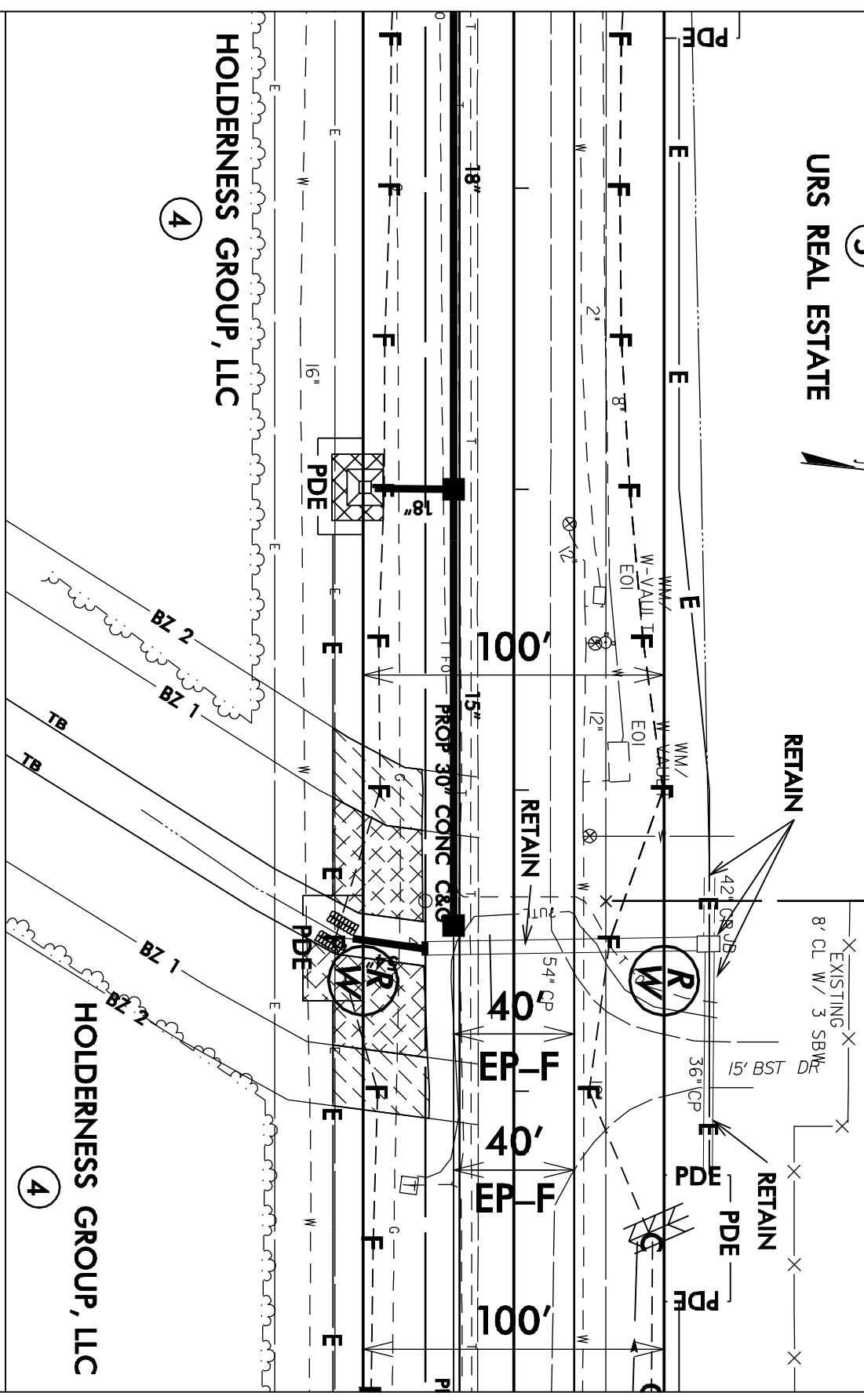
## LEGEND

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DIVISION OF HIGHWAYS  
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SHEET 3 OF 6

5  
URS REAL ESTATE



6  
KITCHENS OF SARA LEE CORP.



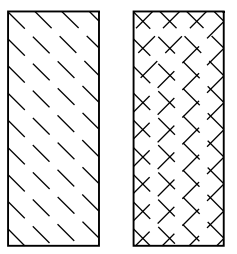
HOLDERNESS GROUP, LLC

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SHEET 4 OF 6



ALLOWABLE IMPACTS  
ZONE 1  
ALLOWABLE IMPACTS  
ZONE 2

PLAN VIEW



BUFFER IMPACT SUMMARY													
Site No.	Station (FromTo)	Structure Size/ Type	IMPACT						BUFFER REPLACEMENT				
			TYPE		ALLOWABLE			MITIGABLE					
			ROAD CROSSING	PARALLEL IMPACT	ZONE 1 (SF)	ZONE 2 (SF)	TOTAL (SF)	ZONE 1 (SF)	ZONE 2 (SF)	TOTAL (SF)	ZONE 1 (SF)	ZONE 2 (SF)	
1	98+52	54" RCP	X		2070	1294	3364						
<b>TOTALS:</b>					2070	1294	3364	0	0	0	0	0	0

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BUFFER IMPACT SUMMARY													
Site No.	Station (From/To)	Structure Size/ Type	IMPACT				BUFFER REPLACEMENT						
			TYPE		ALLOWABLE		MITIGABLE						
			ROAD CROSSING	PARALLEL IMPACT	ZONE 1 (SF)	ZONE 2 (SF)	TOTAL (SF)	ZONE 1 (SF)	ZONE 2 (SF)	TOTAL (SF)	ZONE 1 (SF)	ZONE 2 (SF)	
1	98+52	54" RCP	X		2070	1294	3364						
TOTALS:					2070	1294	3364	0	0	0	0	0	0

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